



Docket No.: B0801.70255US01
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald B. Pier et al.
Serial No.: 10/713,790
Confirmation No.: 5867
Filed: November 12, 2003
For: POLYSACCHARIDE VACCINE FOR STAPHYLOCOCCAL
INFECTIONS
Examiner: S. J. N. Devi
Art Unit: 1645

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 28, 2007

Melissa L.B. Lyons
Melissa L.B. Lyons

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Information Disclosure Statement and PTO Form 1449 with cited references.

Our check in the amount of \$180.00 covering the required IDS fee is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. B0801.70255US01. A duplicate copy of this paper is enclosed.

Dated: December 28, 2007

Respectfully submitted,

By

Marie Aucoin

Marie A. Aucoin, Ph.D.

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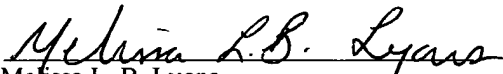
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 28th day of December, 2007.


Melissa L. B. Lyons

MAIL STOP Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

Application Number	Filing Date	Inventor(s)	Docket No.
11/645,220*	12-22-2006	Pier et al.	B0801.70218US01

*copies are available on PAIR

The Applicant would like to bring to the Examiner's attention the enclosed search report(s) or other communication(s) from International or Foreign National Applications that may contain subject matter related to this application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type(s) of Correspondence</u>	<u>Docket No.</u>
PCT/US2003/36371	06-15-05	International Search Report	B0801.70256WO00
PCT/US2005/013694	01-02-06	International Search Report	B0801.70300WO00
PCT/US2005/013694	10-25-06	International Preliminary Report on Patentability	B0801.70300WO00
EP 03 786 713.2	12-06-06	Search Report	B0801.70255EP00
EP 03783450.4	02-17-06	Search Report	B0801.70256EP00
EP 03783450.4	05-16-06	Supplementary Search Report	B0801.70256EP00

The Applicant would like to bring to the Examiner's attention the following other information from applications that may contain subject matter related to this application:

Office Communication mailed 01/03/2003 for Application No. 09/771,003 (B0801.70218US00)

Office Communication mailed 10/23/2003 for Application No. 09/771,003 (B0801.70218US00)

Office Communication mailed 07/20/2004 for Application No. 09/771,003 (B0801.70218US00)

Office Communication mailed 05/09/2005 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 12/06/2005 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 06/26/2006 for Application No. 09/771,003 (B0801.70218US00)
Office Communication mailed 11/21/2006 for Application No. 10/712,391 (B0801.70256US01)
Office Communication mailed 08/09/2007 for Application No. 10/712,391 (B0801.70256US01)
Office Communication mailed 12/10/2007 for Application No. 11/111,688 (B0801.70300US01)

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

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By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 
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Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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